UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1997/L.78
9 April 1997

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 18

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Argentina, Brazil, Canada, Chile, Denmark, Dominican Republic, El Salvador, France, Greece, Haiti, Hungary, Nicaragua, Peru

1997/... Situation of human rights in Haiti

The Commission on Human Rights,

Guided by the Principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all Member States have the obligation to promote human rights and to fulfil the obligations they have undertaken under the various instruments in this field,

Recalling its resolution 1996/58 of 19 April 1996 and General Assembly resolution 51/110 of 12 December 1996,

Having in mind the report (E/CN.4/1997/89) of the independent expert, Mr. Adama Dieng, appointed to consider the development of the human rights situation in Haiti and to verify compliance by that country with its obligations in that field, and the recommendations contained therein,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Acknowledging the work done by the International Civilian Mission to Haiti, the United Nations Support Mission in Haiti and the National Commission for Truth and Justice, in the field of the diffusion of democratic principles and respect for human rights,

Welcoming the extension by the General Assembly in resolution 50/86 C of 29 August 1996 of the mandate of the International Civilian Mission to Haiti,

Welcoming the improvements in the situation of human rights in Haiti, and noting the statements by Haitian authorities that the Government of Haiti remains committed to upholding such rights,

Drawing attention to the need for the Haitian National Police to receive technical training to enable it to perform its functions efficiently,

Emphasizing the need to strengthen the Haitian judicial and penitentiary system, particularly by the development of a broad programme of civic education and training in human rights and the introduction of legal services in rural areas,

Expressing concern at the reports of cases of illegal and arbitrary detention,

Welcoming warmly the request for technical assistance and advisory services in the field of human rights addressed by the Government of Haiti to the Centre for Human Rights,

Expressing its satisfaction at the invitation to visit Haiti addressed by the Government of Haiti to the Special Rapporteur of the Commission on Human Rights on violence against women,

1. Thanks the Secretary-General and his Special Representative for the work done with a view to consolidating democratic Haitian institutions and respect for human rights in that country;

2. Welcomes the satisfactory evolution of the political process in Haiti, as reflected in particular in the holding of five elections that culminated with the presidential elections of 17 December 1995, which permitted the first transfer of power between two democratically elected Presidents as well as, more recently, the partial parliamentary elections held on 6 April 1997;

3. Takes note with gratitude of the report (E/CN.4/1997/89) of Mr. Adama Dieng, independent expert of the Commission on Human Rights on the situation of human tights in Haiti, and of the conclusions and recommendations contained therein;

4. Welcomes the report of the National Commission for Truth and Justice, as well as the reports of the International Civilian Mission to Haiti on Haitian justice and respect for human rights by the National Police of that country, and urges the Government of Haiti, with the support of the international community, to take the necessary measures in accordance with the recommendations contained therein;

5. Recognizes the importance, from the standpoint of the realization of a genuine and effective transition and national reconciliation process, of the investigations undertaken by the National Commission for Truth and Justice and requests the Government of Haiti to have that Commission's report widely distributed throughout the country;

6. Requests the General Assembly to study the possibility of extending the mandate of the International Civilian Mission to Haiti which expires in June 1997;

7. Encourages the inclusion of ethics courses in police training programmes and the establishment of a general inspectorate to investigate human rights abuses perpetrated by members of the police with a view to strengthening reforms and putting an end to impunity;

8. Requests the Haitian Government to adopt a civics education programme to promote the creation of confidence between the population and the national police;

9. Expresses its concern at the security problems faced by Haitian society, some of which are due to the difficult social and economic conditions characteristic of that society in recent times;

10. Requests the Government of Haiti to adopt urgent measures to ensure respect for judicial guarantees, thereby putting an end to cases of illegal and arbitrary detention;

11. Supports the reform of the judicial system at present being carried out by the Government of Haiti, which includes training in international humanitarian law and human rights, and emphasizes its priority in the framework of the bilateral or multilateral assistance provided by the international community, including the United Nations Development Programme;

12. Encourages the international community to contribute generously to the Trust Fund for the Haitian National Police to be used, in accordance with the request of the Government of Haiti, to develop a technical adviser programme;

13. Welcomes the establishment of the programme of technical cooperation by the Centre for Human Rights aimed at strengthening institutional capacity in respect of human rights, particularly in the areas of legislative reform, the training of justice administration personnel and human rights education, and requests the Secretary-General to submit a report on the implementation of this programme to the Commission on Human Rights at its fifty-fourth session;

14. Invites the independent expert to inform the General Assembly at its fifty-second session and the Commission on Human Rights at its fifty-fourth session about the development of the human rights situation in Haiti;

15. Invites the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti, having regard to the fragility of the political, social and economic situation of the country;

16. Encourages the Government of Haiti to consider ratifying the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Optional Protocols to the International Covenant on Civil and Political Rights, and to submit without delay its report to the Human Rights Committee;

17. Also encourages the Government of Haiti to study the possibility of establishing, with the assistance of the Centre for Human Rights, a national institution for the protection and promotion of human rights with the greatest possible participation of civil society;

18. Invites the Special Rapporteur on violence against women to consider favourably the invitation by the Government of Haiti to visit the country, with the support of the United Nations Population Fund;

19. Decides to continue consideration of this question at its fifty-fourth session, under the item entitled "Advisory services in the field of human rights".